

## **REMARKS**

The non-final Office Action mailed April 1, 2005 has been carefully considered. Claims 1-14 are pending. Reconsideration of the present application in view of the following remarks is respectfully requested.

### **I. DOUBLE PATENTING REJECTION**

Claims 1-14 have been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-43 of U.S. Patent No. 6,752,829 ("the '829 patent").

While not agreeing with this rejection, attorneys for Applicants submit herewith a Terminal Disclaimer Under 37 C.F.R. § 1.321(c) with respect to the '829 patent with the necessary fee to overcome the double patenting rejection. Common ownership of the present application and the '829 patent is established in the Terminal Disclaimer. Such Terminal Disclaimer is believed to obviate this rejection.

### **II. CONCLUSION**

As the claim rejections have been overcome, all claims are believed to be in condition for allowance. An early notice to that effect would be appreciated. Should the Examiner not agree with Applicants' position, then a personal telephonic interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of the application.

Respectfully submitted,

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Enclosures